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GC45**SCHEDULE 67 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO67****MELBOURNE METRO RAIL PROJECT – INFRASTRUCTURE PROTECTION AREAS****1.0 Purpose**--/20--  
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To provide an assessment process for consideration of proposed design requirements, construction techniques or operations on land within this Overlay to ensure that the integrity and operation of the strategically important Melbourne Metro Rail Project (**Melbourne Metro**) is not compromised.

**2.0 Design objectives**--/20--  
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In this Schedule:

- **Melbourne Metro** means the use and development the subject of the Melbourne Metro Rail Project Incorporated Document, dated May 2016.
  - **Melbourne Metro Infrastructure** means the Melbourne Metro tunnels, stations and associated infrastructure and equipment
  - **Loading** means the application of force to an asset.
  - **Surface level** means the level of the land to AHD at the date this Schedule is applied to the land.
- To avoid direct contact with and provide safe working clearance around MMRP tunnels, stations, associated infrastructure and equipment;
  - To ensure that the development of land does not adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne's public transport network;
  - To avoid loading onto the Melbourne Metro Infrastructure that could lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the Infrastructure to the detriment of passenger rail operations;
  - To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage of the Melbourne Metro Infrastructure;
  - To prevent construction methods or development that could generate unacceptable levels of vibration in the Melbourne Metro Infrastructure;
  - To ensure that development works do not rely upon direct structural support from the Melbourne Metro Infrastructure unless specifically envisaged in Melbourne Metro's design;
  - To provide an assessment process to ensure that proposed development within the area affected by the DDO is assessed and the potential effects of proposed developments on the Melbourne Metro Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

**3.0 No permit required**--/20--  
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A permit is not required under this Schedule for:

- A new building of up to two storeys without basements provided that its footings are founded no more than two metres below the existing Surface level;
- Single storey temporary structures;
- Earthworks or excavation that does not change the surface level by more than one metre;
- Poles, signs and retaining walls with footings less than two metres deep;

- Underground utilities with trenches less than two metres deep;
- Internal and external alterations to buildings which do not require works below Surface level;
- Installation of an automatic teller machine;
- Tramway infrastructure and works which do not require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep.

#### 4.0 Permit required for development

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A permit is specifically required for the following that would otherwise be exempt under clause 62:

- Demolition or removal of a building or works where the building or works is greater than two storeys or includes a basement of greater than one storey;
- A rainwater tank with a capacity of more than 4,500 litres if requiring works below surface level;
- A new domestic swimming pool if requiring works below Surface level;
- Roadworks which require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep; and
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation, if such works require earthworks that would change the Surface level by more than one metre or require works more than two metres deep.

A permit is required under clause 43.02-2 for the following if requiring works below Surface level:

- Construction of an outdoor swimming pool associated with a dwelling.

#### 5.0 Referral requirement

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In this Schedule, the relevant referral authority is the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works, must be referred in accordance with section 55 of the Act to the relevant referral authority.

This does not apply to applications accompanied by the relevant referral authority's written approval [dated no more than 3 months prior to lodgement of the planning permit application](#), or to applications for which a permit is not required under clause 3 of this Schedule.

#### 6.0 Application requirements

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An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
  - the boundaries and dimensions of the site;
  - adjoining roads and infrastructure;
  - relevant ground level and Surface levels to AHD;
  - the layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling;
  - the locations of, and the proposed use of, all existing and proposed buildings;
- Sections and elevations drawn to scale which show:

- the boundaries and dimensions of the site;
- the depth of basement/s, if any;
- the proposed foundations, including their form, founding levels and loads;
- the details of proposed drainage system, including discharge outlet, if any;
- Details relating to the staging of development and an appropriate time scale in which each stage of development may be undertaken;
- Either:
  - a) Written approval of the relevant referral authority dated no more than 3 months prior to lodgement of the planning permit application as set out in clause 5.0; or
  - b) All of the following:
    - A report summarising any consultation undertaken with the relevant referral authority prior to lodgement of planning permit application;
    - A technical assessment which identifies any potential adverse effects or risks to the construction, integrity or operation of the Melbourne Metro Infrastructure. The assessment may address as relevant:
      - Identify the geology of the site for the purpose of analysing the loading effects on ground conditions;
      - Establish the additional loading on the Melbourne Metro infrastructure from the proposed development taking into account other infrastructure existing at the time of the permit application, and provide reasoning as to whether the loading satisfies the design objectives of this Schedule;
      - Specify any particular design requirements, construction techniques or operations for the proposed development to address potential loading, unloading or vibration from the proposed development; and
      - Establishes whether the proposed development works rely upon direct structural support from the Melbourne Metro infrastructure.

## 7.0 Subdivision

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A permit is not required to subdivide land.

## 8.0 Exemption from notice and review

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An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 9.0 Decision guidelines

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Before deciding on an application for a building, structure or works to be constructed, carried out, demolished or removed, the responsible authority must consider:

- The views of the relevant referral authority as to whether the development satisfies the purpose and design objectives of this Schedule
- Any relevant technical guidelines prepared by the relevant referral authority for the assessment of proposed development of land within this Overlay
- Whether safe working clearances have been provided around the Melbourne Metro Infrastructure so as to avoid direct contact with the Infrastructure
- Whether the design of proposed development and proposed construction techniques could adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne transport network

- Whether the proposed loading onto Melbourne Metro Infrastructure and will lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of that infrastructure to the detriment of passenger rail operations
- Whether any proposed excavation or other unloading of the ground could compromise structure, serviceability, or operation of the Melbourne Metro infrastructure
- Whether the proposed construction methods or development could generate unacceptable levels of vibration to the Melbourne Metro Infrastructure
- Whether the proposed development works would rely upon direct structural support from the Melbourne Metro Infrastructure in a matter not specifically envisaged in Melbourne Metro's design